

KENTUCKY DEPARTMENT OF EDUCATION

STAFF NOTE

Action/Discussion Item:

Kentucky High School Athletic Association (KHSAA) Report on the Work of the Task Force and Bylaw Amendments from the Board of Control

Applicable Statute or Regulation

KRS 156.070
702 KAR 7:065

Action Question:

Should the Kentucky Board of Education approve the attached amendments to the KHSAA bylaws on Financial Aid, Transfer after representing a member school below grade nine and Territory and Feeder Pattern definition?

History/Background:

Existing Policy. At the direction of the Kentucky Board of Education, KHSAA Commissioner Brigid DeVries empanelled a Task Force of individuals from all types of KHSAA member schools to attempt to resolve issues in the organization relative to public/private school athletic play. Those issues led in October to a vote of the membership on separate championships for public/private schools for the sports under KHSAA jurisdiction. Upon receipt of this information and due to a desire to find an alternative solution to the issues, Commissioner DeVries was directed by the Kentucky Board of Education (KBE) to assemble this Task Force, which has met on two occasions.

The purpose of the Task Force meetings was to attempt to reach compromise between the public and private member schools regarding four major subject areas:

1. Codifying rules and restrictions on the acceptance of financial aid by student-athletes to attend tuition-charging schools;
2. Studying restrictions on athletes who participate for a member school prior to enrollment in grade nine and who then do not enroll at that school;
3. Defining an athletic territory for KHSAA member schools that do not have rigid boundaries defined by the local board of education; and
4. Revising and strengthening of compliance and investigative procedures concerning KHSAA rules.

After its initial review of the report of the first meeting of the Task Force, the Kentucky Board of Education by letter from Chair Keith Travis to Commissioner DeVries, directed the Association to finalize the meetings of the Task Force, and attempt to agree on proposals to be submitted to the KHSAA Board of Control for review.

The subsequent Task Force meeting was held on February 20, 2006, and the Task Force, by general consensus and through the facilitator, Justice James Keller, proposed significant changes in subject areas 1 and 2 above, and such was reported to the KHSAA Board of Control at a special meeting. Consensus was not reached on item 3 by the Task Force, and two alternative solutions were submitted to the Board of Control for review. Subject area 4, compliance, involves a myriad of undetermined rule changes, and as of yet, final proposals have not been formulated.

The KHSAA Board of Control met on March 6 at the KHSAA offices in Lexington and from that meeting finalized three proposals addressing these subject areas. On subject area 3, the defining of an athletic territory for prospective student-athletes, the Board chose to endorse the proposal put forth by the representatives of the public schools that correlates ninth grade eligibility and the type of school attended in grades 7 and 8.

In attempting to comply with the timetable called for by Chair Travis' correspondence, the Board also met again on March 17, 2006, to discuss the issues. By a vote of 15-2, the Board of Control approved the proposed amendments to the KHSAA bylaws and to request that the Kentucky Board of Education approve these changes. The three proposals, dealing with Financial Aid (Attachment "A"), Transfer after representing a member school below grade nine (Attachment "B") and Territory and Feeder Pattern definition (Attachment "C") are attached. While the Board of Control has requested KBE approval of these three bylaw changes, the constitution or bylaws can be amended in only two ways, by vote of delegates at the annual meeting or through approval of the membership by referendum via mail. A vote by the membership had not taken place at the time this staff note was printed as part of the Agenda Book.

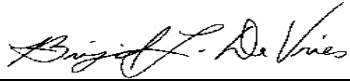
These proposed bylaw changes must be considered as part of amendments to 702 KAR 7:065, since the KHSAA bylaws are incorporated by reference within this regulation. At the February meeting, the KBE approved other changes to the bylaws and the regulation currently is proceeding through the public hearing and Legislative Research Commission processes.

KHSAA Staff Recommendation and Rationale:

KHSAA staff is forwarding the attached proposals to the KBE for approval due to the vote by the KHSAA Board of Control that requested them to do so.

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KHSAA Commissioner

Commissioner of Education

Date:

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